



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. AM101333)

In re Patent Application of:)	Appln. No.: 10/796,925
)	Confirmation No.: 3270
WUMIN LI <i>et al.</i>)	Customer No.: 25291
)	Group Art Unit: 1645
Filed: 03/10/2004)	Examiner: Lakia J. Tongue
)	
For: ADJUVANTED BOVINE VACCINES)	

AMENDMENT AFTER FINAL REJECTION PURSUANT TO 37 C.F.R. § 1.116

Dear Sir:

Responsive to the Advisory action mailed March 15, 2006, please amend the above application using the below instructions and consider the remarks in a favorable light.

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

The undersigned attorney wishes to thank the Examiner for taking the time to discuss this case with her on March 9, 2006 and for making a kind offer of a further telephonic interview. It was helpful to get the Examiner's viewpoint and understand why the Examiner could not enter the amendment of February 10, 2006. Applicants had amended the subunit term in the claims to be directed to the distinctive *E. coli* O157:H7 antigens prepared from the O-specific polysaccharide of *E. coli* O157:H7 in a good faith attempt to overcome the cited art. If the Examiner had been familiar with WO 00/04922 of record and agreed with Applicants' impression of its teachings, the Examiner might have allowed the application. Unfortunately, the prior amendment raised new issues. In view of these new issues on the merits, it is believed that a telephonic interview to discuss the claim language would not be practical at this stage of the prosecution.

Instead, Applicants are amending the claims of the patent application to draw the invention to the use of the vaccine composition containing the whole cells of *E. coli* O157:H7 in order to avoid the new issues and place the application in condition for an immediate allowance or, at the very least, provide claims that are in better form for appeal. Because the amendment of February 10, 2006 was not entered in the record, the present amendment also cancels the non-elected claims. Applicants reiterate that the cancellation of the non-elected claims is being made

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